

Substitute for Form PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE <b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 030685-045 U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/511829</b>
INTERNATIONAL APPLICATION NO. PCT/JP03/05443	INTERNATIONAL FILING DATE 28 April 2003 (28.04.2003)	PRIORITY DATE CLAIMED 30 April 2002 (30.04.2002)
TITLE OF INVENTION  ASTAXANTHIN MEDIUM-CHAIN FATTY ACID ESTER, PRODUCTION METHOD OF THE SAME, AND COMPOSITION COMPRISING THE SAME		
APPLICANT(S) FOR DO/EO/US Motoo SUMIDA, Masahiro NAKAO, Namino TOMIMORI, Koshi NAMIKAWA and Harukazu FUKAMI		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission to items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below. 4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 21 below concern document(s) or information included:		
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: <u>Application Data Sheet; General Authorization for Petitions for Extensions of Time and Payment of Fees; Form PCT/ISA/210 (International Search Report); Verification of Translation; and English translation of PCT Request.</u> 21. <input checked="" type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: <u>Suntory Limited, Osaka, Japan.</u>		

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; margin-top: 5px;">10/511829</div>	INTERNATIONAL APPLICATION NO. PCT/JP03/05443	ATTORNEY'S DOCKET NUMBER 030685-045
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22. ☒ The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . . \$1,110.00 (1611)

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . . \$950.00 (1613)

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . . \$790.00 (1610)

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . . \$750.00 (1609)

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . . \$100.00 (1612)

**CALCULATIONS PTO USE ONLY**

<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$ 950.00	
Surcharge of <b>\$130.00 (1617)</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). <span style="float: right;"> <input type="checkbox"/> 20   <input type="checkbox"/> 30         </span>					

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	32	-20 =	12	X \$18.00 (1615)	\$ 216.00
Independent Claims	5	-3 =	2	X \$88.00 (1614)	\$ 176.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$300.00 (1616)	
<b>TOTAL OF ABOVE CALCULATIONS =</b>					\$ 1,342.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	\$ 0.00
<b>SUBTOTAL =</b>					\$ 1,342.00
Processing fee of <b>\$130.00 (1618)</b> for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)). <span style="float: right;"> <input type="checkbox"/> 20   <input type="checkbox"/> 30         </span>					\$ 0.00
<b>TOTAL NATIONAL FEE =</b>					\$ 1,342.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 (8021)</b> per property +					\$ 40.00
<b>TOTAL FEES ENCLOSED =</b>					\$ 1,382.00
				Amount to be refunded :	
				charged :	

a. ☒ A check in the amount of \$ 1,342.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 02-4800 in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.

d. ☐ Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Burns, Doane, Swecker & Mathis, L.L.P.  
 P.O. Box 1404  
 Alexandria, Virginia 22313-1404  
 (703) 836-6620

SIGNATURE

\_\_\_\_\_  
Susan M. Dadio

NAME

40,373

REGISTRATION NO.

October 20, 2004

DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Motoo Sumida et al.

Group Art Unit: Unassigned

Application No.: Unassigned

Examiner: Unassigned

Filing Date: October 19, 2004

Confirmation No.: Unassigned

Title: ASTAXANTHIN MEDIUM-CHAIN FATTY ACID ESTER, PRODUCTION METHOD OF THE SAME,  
AND COMPOSITION COMPRISING THE SAME

GENERAL AUTHORIZATION FOR PETITIONS  
FOR EXTENSIONS OF TIME AND PAYMENT OF FEES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:


In accordance with 37 C.F.R. §1.136(a)(3), the U.S. Patent and Trademark Office is hereby provided with a general authorization to treat any concurrent or future reply requiring a petition for an extension of time for its timely submission as containing a request therefor for the appropriate length of time.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. § 1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

By   
Susan M. Dadio  
Registration No. 40,373

Date: October 20, 2004